WALLER LANSDEN DORTCH & DAVIS

A PROFESSIONAL LIMITED LIABILITY COMPANY

NASHVILLE CITY CENTER 511 UNION STREET, SUITE 200 Post Office Box 198966

Nashville, Tennessee 37219-8966 PM 3 50 809 South Main Street P. O. Box 1035

P. O. Box 1035

EXECUTIVE (23), 2 (ART (93)) 388-6031

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D Billye Sanders (615) 252-2451 bsanders@wallerlaw.com

July 13, 2001

Via Hand-Delivery

K. David Waddell Executive Secretary Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37219

01-00619

Re:

Petition of Chattanooga Gas Company for Approval of Tariff Establishing Performance-Based Rate Making Mechanism

Dear Mr. Waddell:

Enclosed you will find the original and thirteen (13) copies of the Petition of Chattanooga Gas Company for Approval of Tariff Establishing a Performance-Based Rate Making Mechanism. In addition, I have enclosed a check for \$25 for the filing fee.

Sincerely,

D. Billye Sanders

Attorney for Chattanooga Gas Company

D. Belly Janas

DBS:lmb Enclosures

cc:

Mr. Archie Hickerson, Manager-Rates

Mr. Earl Burton, Manager, Marketing/Rates

Consumer Advocate Division

BEFORE THE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESSEE

IN RE:		
PETITION OF CHATTANOOGA GAS COMPANY FOR APPROVAL OF TARIFF ESTABLISHING A PERFORMANCE- BASED RATE MAKING MECHANISM)))	DOCKET NO. 01

PETITION FOR APPROVAL OF TARIFF ESTABLISHING A PERFORMANCE-BASED RATE MAKING MECHANISM

Pursuant to TRA Rule 1220-4-1-.06 and Rule 1220-1-1-.05, Chattanooga Gas Company, a Tennessee corporation, ("Chattanooga Gas") respectfully requests that the Tennessee Regulatory Authority ("TRA" or "Authority) to approve its tariff containing a performance-based rate making mechanism ("PBRM") which is attached hereto as Exhibit 1. In support of this request, Chattanooga Gas submits the following information:

1. Full name and address of the principal place of business of the Petitioner is:

Chattanooga Gas Company 6125 Preservation Drive Chattanooga, Tennessee 37416

2. All correspondence and communications with respect to this Petition should be sent to the following:

Earl Burton, Manager Marketing/Rates Chattanooga Gas Company 6125 Preservation Drive Chattanooga, Tennessee 37416 Telephone: (423) 490-4232 Facsimile: (423) 490-4333 Archie Hickerson, Manager-Rates AGL Resources Location 1686 P. Box 4569 Atlanta, GA 30302-4569

Telephone: (404) 584-3855 Facsimile: (404) 584-3489

D. Billye Sanders
Waller Lansden Dortch & Davis
A Professional Limited Liability Company
511 Union Street, Suite 2100
Nashville, Tennessee 37219

Telephone: (615) 244-6380 Facsimile: (615) 244-6804

- 3. Chattanooga Gas is incorporated under the laws of the state of Tennessee and is engaged in the business of transporting, distributing and selling natural gas in Hamilton and Bradley Counties within the state of Tennessee and surrounding environs. Chattanooga Gas is a public utility pursuant to the laws of the state of Tennessee and its public utility operations are subject to the jurisdiction of this Authority.
- 4. The PBRM will be a substitute for the prudence review of Chattanooga Gas' purchasing activities pursuant to TRA Rule 1220-4-7-.05 (Audit of Prudence of Gas Purchases).
- 5. Chattanooga Gas proposes to file an annual report not later than sixty (60) days following the end of each plan year identifying the actual cost of gas purchased and the applicable index for each month of the plan year. Such annual filings would be deemed in compliance with the provisions of the tariff unless the Authority were to provide written notification to Chattanooga Gas within 180 days of the filing of such reports.
- 6. The PBRM is designed to encourage Chattanooga Gas to maximize its gas purchasing activities at minimum cost consistent with efficient operations and service

669940.3

reliability. The PBRM establishes predefined monthly commodity gas cost benchmark indices (the "Benchmark Indices") to which Chattanooga Gas' commodity cost of gas is compared. The Benchmark Indices are set forth in Exhibit 1 and are based upon an Inside FERC gas market report and a Gas Daily price index. Benchmark gas costs will be computed by multiplying total actual purchase quantities for the month by the applicable Benchmark Index. If Chattanooga Gas' actual total commodity gas cost does not exceed the Benchmark Index by two percentage points (2%) during any month of the plan year, Chattanooga Gas's gas cost will be deemed prudent and the audit required by TRA Rule 1220-4-7-.05 would be waived.¹ If, during any month of the plan year, Chattanooga Gas' gas costs exceeds the benchmark cost by two or more percentage points, Chattanooga Gas' gas costs will be audited in accordance with TRA Rule 1220-4-7-.05. Under the PBRM, any gas savings that result from purchases of gas below the Benchmark Index will be passed on to Chattanooga Gas customers. The PBRM would continue until it is either (a) terminated at the end of a plan year or by not less than ninety (90) days notice by Chattanooga Gas to the Authority or (b) modified, amended or terminated by the Authority.

7. The establishment of the PBRM as proposed would facilitate the efficient purchase of gas and eliminate the costs associated with annual audits of gas purchases. Chattanooga Gas' gas purchases have been found to be prudent in each of the audits since Rule 1220-4-7-.05 became effective in March of 1994. Enclosed as collective Exhibit 2 are charts comparing Chattanooga Gas' actual gas costs for a two-year period (July 1998 through June 2000 with the Benchmark Index that is proposed. The charts shows that during the two-year period, Chattanooga Gas' actual gas costs have been at or

669940.3

¹ The TRA has authority to waive its own rules pursuant to TRA Rule 1220-1-1-.05.

below the index. Chattanooga Gas proposes that the plan would begin on August 9, 2001, subject to TRA approval of the tariff.

WHEREFORE, Petitioner prays:

- 1. That the Authority approve the Petition attached hereto.
- 2. That Petitioners be granted such other and/or further relief as may be warranted.

Respectfully submitted,

Chattanooga Gas Company

D. Billye Sanders, Esq.

Waller Lansden Dortch & Davis

A Professional Limited Liability Company

Nashville City Center

511 Union Street, Suite 2100

Nashville, TN 37219-8966

(615) 244-6380

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Attorney for Chattanooga Gas Company

CERTIFICATE OF SERVICE

I hereby certify that on this 13 day of July, 2001, a true and correct copy of the foregoing Petition was served on the persons below by placing same in the U.S. mail, postage pre-paid:

Consumer Advocate Division Office of Attorney General Cordell Hull Building 426 5th Avenue North Nashville, Tennessee 37243-0500

D. Billy Sanders

Performance-Based Ratemaking

Applicability

This Performance-Based Ratemaking Mechanism (PBRM) is designed to encourage the utility to maximize its gas purchasing activities at minimum cost consistent with efficient operations and service reliability. Each plan year will begin July 1. The annual provision and filings herein will apply to this annual period. The PBRM will continue until it is either (a) terminated at the end of a plan year or by not less than 90 days notice by the Company to the Authority or (b) modified, amended or terminated by the Authority.

Overview of Structure

The Performance-Based Ratemaking Mechanism establishes predefined monthly benchmark indexes to which the Company's commodity cost is compared.

Benchmark Index

Each month, Chattanooga will compare its actual commodity cost of gas to the appropriate benchmark amount. The benchmark gas cost will be computed by multiplying actual purchase quantities for the month, including quantities purchased for injection into storage, by the appropriate benchmark price index.

Spot Market Purchases:

The monthly spot market benchmark is the "Index" price published in the first issue of the delivery month of *Inside FERC's Gas Market Report* in the table titled "Price of Spot Gas Delivered to Pipelines," denoted in the column labeled "Index" and the row for the applicable "Pricing Point."

Swing Purchases

For swing purchases, the benchmark "Index" price for gas delivered on any day upon which Gas Daily is published, is equal to the Gas Daily-Midpoint price for the immediately following day under the heading "Daily Price Survey." For gas delivered on Saturday, Sunday, or any other day upon which Gas Daily is not published, the price index is equal to the Daily-Midpoint for the nearest subsequent day published by Gas Daily.

Long-term purchases

For long term purchases, i.e., a term more than one month, the "Index" price published in the first issue of the delivery month of *Inside FERC's Gas Market Report* in the table titled "Price of Spot Gas Delivered to Pipelines" denoted in the column labeled "Index" and the row for the applicable "Pricing Point" will be adjusted for the Company's rolling three-year average premium paid to ensure long-term supply availability during peak periods.

City Gate Purchases

For city gate purchases where gas is delivered by the supplier to the local distribution company, the indexes will be adjusted for the avoided transportation costs that would have been paid if the upstream capacity were purchased versus the demand charges actually paid to the supplier.

683215.1McLaughlin, President

Effective: August 9, 2001

Issued on: July 9, 2001

Effective: August 9, 2001

Performance-Based Ratemaking (Continued)

Prudence Determination

If Chattanooga's total commodity gas cost does not exceed the total benchmark amount by two percentage points (2%) during any month of a plan year ending after June 30, 2000, Chattanooga's gas cost will be deemed prudent and the audit required by Tennessee Regulatory Authority's Administrative Rule 1220-4-7-. 05 is waived. If during any month of the plan year, the Company's commodity gas cost exceed the benchmark amount by two or more percentage points (2%), the Company's gas cost will be audited in accordance with Tennessee Regulatory Authority's Administrative Rule 1220-4-7-.05.

Filing with the Authority

The Company will file an annual report not later than 60 days following the end of each plan year identifying the actual cost of gas purchased and the applicable index for each month of the plan year.

Unless the Authority provides written notification to the Company within 180 days of such reports, the annual filing shall be deemed in compliance with the provisions of this Service Schedule.

Periodic Index Revisions

Because of changes in the natural gas marketplace, the price indices used by Chattanooga, and the composition of Chattanooga's purchased gas portfolio may change. The Company shall, within 30 days of identifying a change to a significant component of the mechanism, provide notice of such change to the Authority. Unless the Authority provides written notice to Chattanooga within 30 days of the Company's notice to the Authority, the price indices shall be deemed approved as proposed by the Company.

683215.1McLaughlin, President

Issued on: July 9, 2001

Chattanooga Gas Company 1999-2000 Cost of Gas East Tennessee Gas Pipeline

				000	00 **0	Nov.99	Dec-99
Ŀ		66-jnr	Aug-99	Sep-93	000:33	20	
Ein	East Tennessee das Libernie						
	Spot Market Purchases			000	261 770	383 251	568,130
<u> </u> -	Purchase Quantities	557,588	433,721	633,239	27,100	104,000	7 000 0
- '	Purchase Price	2.2120	2.5440	2.8257	2.4600	7.9600	01.000 75.
7		15	\$1 103 386 22	\$1.789.369.86	\$889,976.34	\$1,134,422.96	\$1,1/5,880.33
c,	lotal Purchase Cost	11.666,662,14	1,000,001,1				
	Swing Purchases					0	0
4	Purchase Quantities	0	D	D		000 00	\$0.000
<u> </u>	Purchase Price	\$0.000	\$0.000	\$0.000	\$0.000	000.05	000 04
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	Long Term Purchases					0	0
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= =	Total	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	000.00
<u> </u>	-						
	Benchmark Price Index	0,000	42 540	\$2.830	\$2.470	\$2.970	0/0.7\$
13	Inside FERC Gas Market Report	017.7\$	0*0.74	200121			

Data Source: Closing Reports, Inside Gas Market Report Publications

Chattanooga Gas Company 1999-2000 Cost of Gas East Tennessee Gas Pipeline

Purchase Quantities Purchase Price Total Purchase Cost \$1,726. Purchase Quantities Purchase Price Total Purchase Cost Purchase Quantities Purchase Quantities Purchase Quantities Purchase Quantities Purchase Quantities	nn-nn			808'069	4 3159	00.00	\$2,981,461.39		0	000 UV	20.00	\$0.000		0	1000	\$0.000	\$0.000		0	000 00	90.000	\$0.000		\$4.320	
e Gas Pipeline Jan-00 Feb-00 Mar-00 Purchase Quantities 750,176 724,330 688,785 6 Purchase Quantities 2.3011 2.5747 2.5581 6 Purchase Duantities 0 0 0 0 Purchase Duantities \$0.000 \$0.000 \$0.000 Purchase Quantities \$0.000 \$0.000 \$0.000 Purchase Price \$0.000 \$0.000 \$0.000 Purchase Price \$0.000 \$0.000	00	May-uu		741,305	7000 0	3.0737	\$2,245,961.55		0	000	\$0.000	\$0.000			>	\$0.000	\$0.000			000 04	\$0.000	\$0.000		020 23	2000
Purchase Quantities		Apr-UU		671 040	00000	2.8336	\$1,905,485.18				\$0.000	\$0.000			n	\$0.000	000 U\$				\$0.000	\$0.000		00000	UC0.7¢
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Data Source: Closing Reports, Inside Gas Market Report Publications

Chattanooga Gas Company 1999-2000 Cost of Gas Southern Natural Gas

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Ë.	Line Southern Natural Pipeline	CC-INC	or find	1			
	Snot Market Purchases						
1.	Sport Train and Training	319,141	318,277	308,010	62,200	344,970	325,017
	בחורוומאב החמווווה	21.1/21	42 6000	\$2,8700	\$2.5119	\$3.0200	\$2.1448
7	Purchase Price	\$4.2000	\$4.0000))		41 041 000	4607 117
m	Total Purchase Cost	\$721,259	\$827,520	\$883,989	\$156,240	\$1,041,009	\$027,112
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9	Total Purchase Cost	\$0.000	\$0.000	000.04	\$0.00		+
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12		000.00	2000	-			
	Benchmark Price Index			0	CD C+	43.00	\$2 140
77	Inside FERC Gas Market Report	\$2.26	\$2.60	18.7\$	\$7.34	20.C¢	214.12

Data Source: Closing, Inside Gas Market Report Publications

Chattanooga Gas Company 1999-2000 Cost of Gas Southern Natural Gas

		,	7-1-1	00 20	Anr-00	May-00	Jun-00
Line Southern Natural Pipeline		Jan-00	rep-uu	141al -00	200		
Snot Market Purchases							
שלמה ביותו אברי מו מומים	Purchase Auantities	304.357	296,201	302,878	270,529	297,743	308,010
	ו חורווספב תחפווווונים	01100	47 6760	47 6175	¢7 8875	\$3.0725	\$4.3725
7	Purchase Price	\$2.3550	\$ 2.6250	\$4.012	\$4.0043	7,0,0	ACC 240 ++
3	Total Purchase Cost	\$716,761	\$777,528	\$791,269	\$779,800	\$914,815	\$1,340,774
Swing Purchases							
+	Purchase Auantities	0	0	0	0	O	0
4	Ourshass Price	000 0\$	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
5	ל מורווסאב ו וורבי	200		000	000	UUU U\$	\$0.000
9	Total Purchase Cost	\$0.000	\$0.000	\$0.000	40.004	2	
Long Term Purchases							
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α	and a second	00000	# O OOO	\$0.000	\$0.000	\$0.000	\$0.000
6	Total Purchase Cost	\$0.000	\$0.00	2		-	
City Gate Purchases							
10	Purchase Quantities	0	0	0	n	0	
7	Purchase Price	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
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12	ומומו ו תוכוומצב בתצו))					
Benchmark Price Index					000	070 04	¢4.37
13 Inside FERC Gas	Inside FERC Gas Market Report	\$2.350	\$2.620	\$2.610	\$7.880	\$3.070	ì

Data Source: Closing, Inside Gas Market Report Publications

Chattanooga Gas Company 1998-1999 Cost of Gas East Tennessee Gas Pipeline

Ŀ	Si C	1.11-08	A110-98	Sep-98	Oct-98	Nov-98	Dec-98
Line		OC INC	200				
	Spot Market Purchases				, ,	730 003	649 481
-	Purchase Quantities	667,396	667,394	630,181	421,274	104070	101,CT0
1	, , ,	\$2.787	\$1.849	\$1.538	\$1.946	\$1.862	\$2.042
7	ל הווספרו ווכב	2021-	0,00	010 010	¢890 342	\$1 170 187	\$1,326,240
m	Total Purchase Cost	\$1,522,998	\$1,234,012	\$303,210	310,000¢	10-10 1717	
	Swing Purchases						
_	Purchase Ouantities	0	0	0	0	2	
+ ı	volul noise James O	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
<u>ر</u>	Dencinal Line mack	2000		000	40.000	000 U\$	\$0.000
9	Benchmark Gas Cost	\$0.000	\$0.000	\$0.000	φ. 000.00φ	7	-
_	I ong Term Purchases						
1	Purchase Organities	0	0	0	0	O	
	200000000000000000000000000000000000000	40.000	000 U\$	\$0.000	\$0.000	\$0.000	\$0.000
<u></u>	Benchmark Price Index	\$0.00		000	000	40.000	000 U\$
0	Benchmark Gas Cost	\$0.000	\$0.000	\$0.000	\$0.000		2
	City Gate Purchases						
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;	Q dremdonog	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	
7 7			000	000	\$0.00	000 0\$	\$0.000
12	Benchmark Gas Cost	\$0.000	\$0.000	000.04	9		
	Benchmark Price Index					4	42 040
13	Inside Gas Market	Report \$2.280	\$1.840	\$1.530	\$1.940	\$1.910	010.24

Data Source: Closing Reports, Inside Gas Market Report Publications

Chattanooga Gas Company 1998-1999 Cost of Gas East Tennessee Gas Pipeline

Ŀ	Frank Topography	Jan-99	Feb-99	Mar-99	Apr-99	May-99	Jun-99
Line	במצר ובווובצצב ממז ו וארם						
	Spot Market Purchases					0,00	720.04
Ţ	Purchase Quantities	649,481	586,628	649,481	583,126	660,543	638,843
1		41 702	¢1 743	\$1.577	\$1.825	\$2.298	2.1583
7	Benchmark Frice index	\$1.10¢	2 / 1		000 100	#1 E17 661	¢1 378 819
m	Benchmark Gas Cost	\$1,105,417	\$1,022,493	\$1,024,232	\$1,004,000	+00'/TC'T\$	41,0,0,0,14
	Swing Purchases						
	Purchase Quantities	0	0	0	0	O	0
<u> </u>	ď	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
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9	Benchmark Gas Cost	\$0.000	000.0¢	000.04))	-	
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α_		20104	000	000	000	000 U\$	\$0.000
9	Benchmark Gas Cost	\$0.000	\$0.000	\$0.000	\$0.000	2	
<u> </u>	City Gate Purchases						
9	+-	0	0	0	0		
4 ÷	R	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
-]		000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
12	2 Benchmark bas bost	000.0¢	2	200			
L_	Benchmark Price Index					000	47 150
13	Inside Gas Market Report \$1.700		\$1.750	\$1.570	\$1.840	\$4.290	46.100

Data Source: Closing Reports, Inside Gas Market Report Publications

Chattanooga Gas Company 1998-1999 Cost of Gas Southern Natural Gas

					(0	00 000
اً ا	Southern Natural Gas	Jul-98	Aug-98	Sep-98	Oct-98	NOV-98	06-30
	Spot Market Purchases		000 100	000 000	000 66	249 330	0
-	Purchase Quantities	330,698	35/399	300,700	22,000	2001017	000
1	Renchmark Price Index	\$2.359	\$1.928	\$1.612	\$2.027	\$1.970	\$0.000
۷ ۳	Benchmark Gas Cost	\$780,117	\$631,225	\$484,797	\$44,594	\$491,180	\$0
<u> </u>	Swing Purchases						
1	1		0	0	0	0	0
4	ר חוכווסצה חתקוווונים	000	000 04	000 0\$	\$0.000	\$0.000	\$0.000
5	Benchmark Price Index	\$0.00	\$0.00	200:04	00000		000 0¢
٧	Benchmark Gas Cost	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	000.04
1	I ong Term Purchases						
ſ	Durchard Oughtifiee	0	0	0	0	O	0
`	ב חורוומסב תחמוווונים	000	000	\$0.000	000 0\$	\$0.000	\$0.000
<u>∞</u>	Benchmark Price Index	\$0.000	000.0¢				UUU U\$
9	Benchmark Gas Cost	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	2000
	City Gate Purchases						
5	+-	0	0	0	0		
;	G	\$0.000	\$0.000	\$0.000	\$0.00	\$0.000	\$0.000
]		00000	000 04		\$0.00	\$0.000	\$0.000
12	Benchmark Gas Cost	\$0.000	40.000				
	Benchmark Price Index				000	41 060	\$2 080
Ŀ	13 Inside FERC Gas Market Report \$	2.350	\$1.910	\$1.600	\$2.020	\$1.900	\$4.000
<u>:</u>							

Data Source: Closing Reports, Inside Gas Market Report Publications

Chattanooga Gas Company 1998-1999 Cost of Gas Southern Natural Gas

				:	00 200	99-VEM	Jun-99
Ŀ	Carthagas Matural Gas	Jan-99	Feb-99	Mar-99	Apr-33	CC KBLI	
Elle							
L,	Spot Market Purchases			120 OEA	751 487	318.277	308,010
<u> </u> -	Purchase Quantities	316,655	17/7/1	338,934	201,102	2004	47 777
1	yopul co.O (see)	¢1.760	\$1.78	\$1.627	\$1.870	\$4.367	\$2.24
7	Deliciliair Cilica much	4567 242	4226 R36	\$551.478	\$470,271	\$751,770	\$684,398
m	Benchmark Gas Cost	CTC'/CC\$	25,024				
	Swing Purchases					0	0
Ŀ	Purchase Quantities	0	0	Ο		5 00	000
4		000 O\$	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
Ŋ	Benchmark Price Index	40.00			0000\$	\$0.000	\$0.000
۷	Benchmark Gas Cost	\$0.000	\$0.000	\$0.000	2000		
ľ	Logo Torm Purchases						
	רטוא וכוווי מוכים	C	0	0	0		
7	Purchase Quantities				\$000 U	\$0.000	\$0.000
c	Roochmark Price Index	\$0.000	\$0.000		\$0.00¢		
ρ		000	000 U\$	\$0.000	\$0.000	\$0.000	\$0.000 \$
6	Benchmark Gas Cost	\$0.000	200				
	City Gate Purchases					C	0
]	-	0	0				000
<u> </u>		000 U\$	\$0.000	\$0.000	\$0.000		\$0.00
11	Benchmark Price Illuex	2000			000 U\$	\$0.000	\$0.000
12	Benchmark Gas Cost	\$0.000	\$0.000		7		
	Boachmark Drice Index		!				010 64
		44 300	¢1 780	\$1.620	\$1.870	\$2.350	\$2.21U
13	13 Inside FERC Gas Market Report	\$1.750	41.700				

Data Source: Closing Reports, Inside Gas Market Report Publications